

The Honorable Timothy W. Dore
Chapter 13
Hearing Date: July 3, 2013
Hearing Time: 9:30 AM
Hearing Location: US Courthouse /Seattle, WA
Response Due: June 26, 2013

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

IN RE:

Tova E. Cubert,

Debtor.

Case No. 12-21877

Chapter: 13

**DEBTOR'S MOTION FOR
AMENDED CHAPTER 13
PLAN FILED MAY 31, 2013**

COMES NOW, the Chapter 13 Debtor, ("Debtor"), by and through her attorney,

Christina L. Henry, DeGraaff & McCormick, P.S. moves the court for an order authorizing a modification of her confirmed Chapter 13 plan payments pursuant to 11 U.S.C. § 1329.

The Debtors filed their Chapter 13 case on November 29, 2012. The Chapter 13 Trustee filed an Objection to confirmation and a stipulated order denying that confirmation was filed on May 10, 2013. The Debtor's Chapter 13 Plan filed on May 31, 2013 addresses the issues raised by the Chapter 13 Trustee and increases the plan payment to \$3400.00 a month. The Debtor already made her May 2013 plan payment in the amount of \$3400.00 in anticipation of this plan payment increase.

Since the Chapter 13 filing, the Debtor has made all her plan payments and has made monthly IRS deposits for 2013 income as proposed in her budget and required by the Chapter 13 Trustee. The Amended Plan also addresses the IRS Proof of Claim in the secured amount of

HENRY, DEGRAAFF & MCGORMICK, P.S.
1833 N 105th ST, STE 200
SEATTLE, WASHINGTON 98133
telephone (206) 330-0595
fax (206) 400-7609

1 \$44,185.33 by including a provision in section XII of the plan proposing to pay the IRS secured
2 claim in full by sale or refinance of the Debtor's residence by the end of the plan. At this time
3 the IRS claim is fully secured by the home and there is additional equity for the IRS's claim to
4 increase with interest during the life of the Plan.

5 WHEREFORE, Debtor respectfully requests that the amended plan filed on May 31,
6 2013 be confirmed.

7 HENRY, DEGRAAFF & MCCORMICK, P.S.
8

9 By: /s/ Christina L. Henry
Christina L. Henry, WSBA #31273
10 Attorney for the Debtor

11 MOTION FOR AMENDED CHAPTER 13 PLAN

12 HENRY, DEGRAAFF & MCCORMICK, P.S.
13 1833 N 105th ST, STE 200
14 SEATTLE, WASHINGTON 98133
15 telephone (206) 330-0595
16 fax (206) 400-7609